

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION

HAYDEN SCOTT ROSE,

Plaintiff,

v.

PRESQUE ISLE VILLAS
CONDOMINIUM HOMEOWNERS
ASSOCIATION, INC.; PRESQUE ISLE
VILLAS CONDOMINIUM
HOMEOWNERS ASSOCIATION, INC.,
BOARD OF DIRECTORS;
COMMUNITY ASSOCIATION
MANAGEMENT, Ltd.; and BAGWELL
HOLT SMITH, P.A.;

Defendants.

Civil Action No. 1:22-CV-478

JOINT MOTION TO CONTINUE HEARING SET FOR 20 OCTOBER 2022

The Parties hereby jointly move for an Order continuing the Rule 26f hearing set for October 20, 2022, for two weeks. In support of their motion, the Parties state as follows:

- On October 14, 2022, the Parties met and conferred regarding this Court's Order (Doc. 18) and compliance with Local Rule 5.4(b)(1).
- During that meet and confer, the Parties discussed the need to set a discovery schedule to comply with Rule 26f, and the need to submit an amended Rule 26f report with specific dates for the Court's review.

- The Parties also discussed Plaintiff's counsel's health concerns and all Parties consented to Plaintiff's Motion to Extend the Time to Respond to Defendant HOA's Motion to Dismiss. See Doc. 24, Plaintiff's Motion, and Doc. 19, HOA's Motion.
- Since the HOA has filed the Motion to Dismiss, some of the issues related to the difficulties in setting actual dates for the Rule 26f Report are resolved. Thus, the Parties believe that they will be able to meet and confer and agree upon actual dates to include in the Amended Rule 26f Report.
- The Parties can conduct their meet and confer within the next few days, and will file an Amended Rule 26f Report by October, 28, 2022.
- Continuing the hearing set for October 20, 2022, will allow the Parties to complete these tasks and will likely eliminate the need for a hearing.

Accordingly, the Parties respectfully request that the hearing set for October 20, 2022, be continued to allow the Parties to submit an Amended Rule 26f Report with actual dates.

Respectfully submitted
this 19th day of October 2022 by:

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Inc.; Presque Isle Villas Condominium
Homeowners Association, Inc., Board of
Directors, and Community Association
Management, Ltd.*

CERTIFICATE OF SERVICE

I hereby certify that on this day, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to counsel of record for all parties in this case.

19 October 2022

/s/Russell M. Racine

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